

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

191358

DATE OF REPORT (DAY-MO.-YEAR)

24 Apr 92

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or
In SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVIGATOR'S NAME Dolcimascolo, Ned		RANK Lt	STAR NO. 464	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 005
ADDRESS OF INCIDENT 005 District		DATE OF INCIDENT - TIME 30 Mar 92 1800 hrs		BEAT OF INCIDENT 531	LOCATION CODE* 04	
ACCUSED	NAME 1. Bowsky, Lionel	RANK Sgt	STAR NO. 844	SOCIAL SEC. NO. [REDACTED]	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 005
	NAME 2. Mitchell, Vanessa	PO	17110	[REDACTED]	[REDACTED]	005
	SEX/RACE D.O.B. 1. M/B [REDACTED] 32	DATE OF APPOINTMENT 5 Apr 65		DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN
	2. F/B [REDACTED] 65	27 Mar 91		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN
IF APPLICABLE	CHARGES	COURT BRANCH		DISPOSITION & DATE		
1.						
2.						
COMPLAINANTS	NAME Hensley, John (capt 100)	ADDRESS** 005 District		CITY STATE	TELEPHONE	SEX/RACE D.O.B./AGE
VICTIMS	NAME	ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE D.O.B./AGE
WITNESSES	NAME	ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE D.O.B./AGE

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

It is alleged that the accused failed to follow proper procedures concerning the
loss of Officer Mitchell's Hat and Shield.

I.A.D. LOCATION CODES*

- | | |
|----------------------------------|--|
| 01 Food Sales/Restaurant | 11 Public Transportation Veh./Facility |
| 02 Tavern/Liquor Store | 12 Park District Property |
| 03 Other Business Establishment | 13 Airport |
| 04 Police Building | 14 Public Property - Other |
| 05 Lockup Facility | 15 Other Private Premise |
| 06 Police Maintenance Facility | 16 Expressway/Interstate System |
| 07 CPD Automotive Pound Facility | 17 Public Way - Other |
| 08 Other Police Property | 18 Waterway, Incl. Park District |
| 09 Police Communications System | 19 Private Residence |
| 10 Court Room | |

I.A.D. PHYSICAL CONDITION CODES†

- | |
|---|
| 01 No Visible Injury - Apparently Normal |
| 02 No Visible Injury - Under Influence |
| 03 Injured, Not Hospitalized |
| 04 Injured, Not Hospitalized - Under Influence |
| 05 Injured, Hospitalized |
| 06 Injured, Hospitalized - Under Influence |
| 07 Injured, Refused Medical Aid |
| 08 Injured, Refused Medical Aid - Under Influence |
| 09 Deceased |
| 10 Deceased - Under Influence |

* * IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).

In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complainant History will be included as attachments.

The reporting Lieutenant investigation disclosed that on 30 Mar 92 officer Mitchell, lost her Hat and Shield while on duty. Her To-From disclosed that upon discovering the she informed Sgt Bowsky of the loss. (att. 8) Sgt Bowsky told her to wait that the hat and Shield might be found. Two days later on 1 Apr 92 she spoke with Sgt Bowsky at which time since the Hat and Shield was not returned to come into the 005 District and make proper notifications and case report. She then came in and made out a Lost and Found case report (att. 10) recorded under RD T-145362 and all notifications were made.

The To-From from Sgt Bowsky (att. 9) disclosed that after being informed by PO Mitchell that she could not find her Hat and Shield, he advised her to examine her squad car and to contact other 005 District officers if anyone had found the property. Sgt Bowsky also stated that he did not receive any more information before the end of his tour of duty. On 1 Apr 92 PO Mitchell called the 005 District and later came in. A search of the stat was negative in locating her Hat and Shield. All reports and notifications were then made out.

In summary upon discovering the loss officer Mitchell should have followed the procedure as outlined in G.O. 78-12 by immediately report the loss to COS, prepare a case report and inform the Watch Commander so that a determination could be made if it was avoidable or unavoidable. Sgt Bowsky once he was made aware of the loss he should have ensured that PO Mitchell follow the procedure in G.O. 78-12. (att. 11).

INVESTIGATIVE REPORTS—
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:
1 to 7 and 10, 11, 12

INVESTIGATIVE REPORTS—
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:
8, 9

PHYSICAL EVIDENCE
LIST ATTACHMENT NUMBERS:
10, 11, 12

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:
17

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

Findings Of Sgt. Bowsky, L #844.

SUSTAINED: Violation of Rule 6, Failure to perform duty. In that the accused failed to follow the procedure as outlined in G.O. 78-12 by not ensuring that the loss of one of his subordinate Hat and Shield was reported immediately.

Recommendations:

After taking into account the accused previous complimentary and disciplinary history, it is recommended that the accused be suspended for two (2) days.

Findings of PO Mitchell, V 17119

SUSTAINED: Violation of Rule 6, Failure to perform duty. In that the accused failed to follow the procedure as outlined in G.O. 78-12, by not reporting the loss of her Hat and Shield at the time of occurrence, instead she waited 2 days before reporting the loss.

Recommendations:

After taking into account the accused past complimentary and disciplinary history, it is recommended that the accused be suspended for one (1) day.

DATE INITIATED
(DATE COMPLAINT WAS
RECEIVED FOR INVESTIGATION)
7 Apr 92

DATE COMPLETED
(DATE OF THIS
REPORT)
24 Apr 92

ELAPSED TIME
(TOTAL TIME,
EXPRESSED IN DAYS)
17

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INTERNAL AFFAIRS DIVISION
DEPARTMENT ADVOCATE SECTION

15 January 1993

Complaint Review Panel hearing of CR Number 191358

ACCUSED: Sergeant Lionel Bowsky STAR: 844 UNIT: 005

Abstract: This is an Internal Affairs Division recommendation that Sergeant Lionel Bowsky be reprimanded for violation of Department:

Rule 5: Failure to perform any duty.

Basis: In that the accused sergeant failed to ensure that an officer under his supervision, complied with the provisions of Department General Order 78-12, requiring the immediate reporting of the loss of that officer's hat and shield.

The investigator sustained the allegation, citing violation of Department Rule 5 and recommended a two (2) day suspension. Command Channel Review concurred with the sustained finding and the recommendation for a two (2) day suspension, for violation of Rule 5. The Assistant Deputy Superintendent, Internal Affairs Division did not concur instead recommending that the accused be given a reprimand.

On 30 March 1992, Officer Mitchell lost her hat and shield while on duty. In her to-from report outlining the circumstances surrounding the loss, Officer Mitchell indicated, that she informed Sergeant Bowsky about the loss, after she discovered it. She also indicated, that Sergeant Bowsky advised her to wait to report the loss, because the hat and shield might be recovered and returned to her. On 01 April 1992, she again spoke with Sergeant Bowsky, informing him that the hat and shield had still not been recovered. A Lost and Found case report was completed, a teletype message sent, and all notifications made.

In Sergeant Bowsky's report responding to the allegation against him, he disclosed that after being informed of the loss, he advised Officer Mitchell to check her squad car, and if she had not found the hat, to speak with the other district officers, to determine if they had seen it, or it perhaps had been located. The hat was never recovered, and the required notifications were then made. Sergeant Bowsky contends, that on the date he initially received information concerning the hat, he provided these suggestions to Officer Mitchell, but also, that he received no additional information from her concerning the loss, before the completion of his tour of duty.

MAA/mb